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THESIS

**THE USE OF SPECIAL OPERATIONS FORCES IN
COMBATING TERRORIST FINANCING**

by

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June 2006

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FINANCING**

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Submitted in partial fulfillment of the
requirements for the degree of

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ABSTRACT

With United States Special Operations Command (USSOCOM) being given the role as the lead Combatant Command in fighting the Global War on Terrorism (GWOT) USSOCOM must examine ways to engage terrorists on a global scale. USSOCOM must look at means other than direct action to defeat these terrorist networks. It must also look at the entire network and not just the cells that carry out the terrorist operations.

Terrorist Financing is an integral part of the GWOT, though; thus far it has mostly been pursued by law enforcement agencies rather than the U.S. Military. This is due to the perception that terrorist financing is criminal in nature and relegated to law enforcement agencies rather a threat to national security that would be the responsibility military.

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I. INTRODUCTION

A. PURPOSE

The purpose of this thesis is to answer United States Special Operations Command (USSOCOM) research question A06. "Discuss a special operations role, if any, in cutting off funds used for terrorist activities. Are special operations suited to conduct an analysis of transnational crime, use of the internet to recruit and raise funds, and the flow of illicit funds to the militant terrorists from their financial backers?"¹

The central research question will be, what roles could SOF could be used for in gathering intelligence to gain a better operational picture on how the terrorist networks are funded and connected? With the ever expanding scope of the Global War on Terrorism (GWOT) does the military and Special Operations Forces (SOF) in particular have a role to play in defeating terrorist funding as well as the terrorists themselves?

B. RELEVANCY

The top high value target that the U.S. government is perusing, Osama bin Laden, came to prominence in terrorist organizations not through his operational expertise, but instead through his financing capabilities. During the Soviet invasion of Afghanistan, Osama bin Laden ran Makhtab al Khadimat (MAK) in Pakistan, which financially aided the mujahideen who were fighting the Soviets inside Afghanistan. MAK recruited and trained non-afghani Muslims to fight against the Soviets inside Afghanistan.

¹ Joint Special Operations University 2005 Research Topics list

After leaving MAK in 1987, Osama bin Laden formed al Qaeda in 1988 and by the 1990's was in Sudan financing terrorist training camps while continuing to invest and raise money for future terrorist operations including the 1998 U.S. Embassy bombings in Nairobi, Kenya and Dar es Salaam, Tanzania; the 2000 USS Cole bombing in Yemen; as well as the 2001 World Trade Center/Pentagon attacks using hijacked commercial aircraft.

There is a maxim among military experts - "Amateurs study strategy and tactics; professionals study logistics. In asymmetric warfare the enemy is not moving large amounts of men and material as a conventional Army is required to do, it is simply moving money, which, is the most fluid and easily transportable form of logistics.

Still, many will still see terrorist financing as criminal in nature and residing in the realm of law enforcement rather than a problem that the military should be addressing. This conventional mindset continues despite the fact that terrorists are operating in an asymmetric battle space and using tactics described as 4th Generation Warfare (4GW), and that financial funding is key to their ability to carrying out their terrorist operations. That said, funding is one of the terrorist networks' vulnerabilities that should be exploited.

The conventional or traditional mindset relative to terrorist financing was also the basis for the same reasoning within the Department of Defense (DoD) that caused the military to ignore pre 9/11 terrorism by dismissing it as a criminal activity, rather than a military or national security issue. This conventional mindset is highlighted in the article published in

"Showstoppers" by Richard Schultz in *The Weekly Standard*. With terrorism now a clear and present danger to the security of the United States, the GWOT has elevated terrorism and terrorists above the military horizon and made terrorism a national security issue.

So one might justifiably ask what makes the United States military in general and USSOCOM specifically, suited or even willing to target terrorist financing as a means of fighting the GWOT?

Is this merely redundant effort by the DoD that duplicates what Law Enforcement Agencies (LEA's) are already doing with respect to terrorist financing? In some respects, yes it would be, but in others no. The role of SOF and DoD in terrorist financing would serve to enhance the efforts that the LEA's are doing with terrorist financing, not replace them. Though USSOCOM has the responsibility as the executive agent for conducting the GWOT, it still may be unwilling to participate in terrorist financing, and that is a matter of relevancy. SOF knows that it needs to stay relevant in the GWOT if it is to grow and be an integral part of the United States military.

The 9/11 Commission and President Bush has recommended that "the U.S. government shift the focus of its efforts to counter terrorist financing from a strategy based on seizing terrorist assets to a strategy based on exploiting intelligence gathered from financial investigations".² According to the Commission, the United States should "expect less from trying to dry up terrorist money and more

² Congressional Research Service (CRS) Report for Congress, Removing Terrorist Sanctuaries, 10 August 2004.

from following the money for intelligence, as a tool to hunt terrorists, understand their networks, and disrupt their operations."³

In order to effectively combat terrorist financing, the United States must bring to bear a coordinated effort of all its elements of national power including intelligence gathering, financial regulation, law enforcement, and even the Department of Defense. The justification for the use of DoD to combat an enemy that was previously relegated to the law enforcement realm is that 9/11 elevated terrorism above the military horizon.⁴ As a result, LEA agencies and DoD, along with an international coalition would subsequently form the basis for effectively targeting terrorist financing.

Granted, the DoD would only be a small but effective part of this inter-agency effort and the success of this effort would be dependant on inter-agency cooperation.

Any DoD or SOF role would be an ancillary part of the targeting of terrorist financing. Initially SOF would begin taking the intelligence that it receives through its passive collection while conducting other missions and providing it to other agencies to confirm, refute, or simply fill in the intelligence gaps of current investigations. Later as its capabilities and database grows, SOF could begin targeting terrorist financiers both unilaterally and for other traditionally domestic U.S.

³ Congressional Research Service (CRS) Report for Congress, Removing Terrorist Sanctuaries, 10 August 2004.

⁴ When a social organization, in this case a terrorist group or narco-trafficker has evolved to a point that they wage war or commit acts of terrorism as their primary role and not an ancillary one. Turney-High, *Primitive War: Its Practice and Concepts*, 1991.

agencies that do not have the ability, cultural awareness, or operational experience to conduct missions outside the borders of the U.S.

The inter-agency focus and cooperation cannot be overemphasized. Once you start mapping these terrorist financial networks, you are never totally sure where they will lead you. Should the DoD's mapping of terrorist financing networks reveal links to U.S. citizens or officials of governments who are friendly to the United States, then that intelligence needs to be passed to the FBI and Department of State respectively, as those agencies have the charter to deal with those issues.

C. SCOPE

This type of joint military/law enforcement involvement is not without precedence. When the flow of drugs into the United States rose to levels that began to overwhelm law enforcement and the Drug Enforcement Agency, the War on Drugs brought the United States military into the fold and elevated illegal narcotics above the military horizon⁵.

New roles and relationships had to be explored for the U.S. military that had not previously been considered. Military involvement with other U.S. agencies in targeting terrorist financing will insure more of the same types of considerations.

This thesis will also look at the United States military's involvement with the War on Drugs as the DoD continues to transform itself to stay relevant so as to be able to engage threats to the national security of the United States of America.

⁵ Turney-High, *Primitive War: Its Practice and Concepts*, 1991.

The DoD has now begun to address terrorist financing with the creation of the Threat Financing Exploitation Unit (TFEU) as a pilot program in the Central Command (CENTCOM) Area of Responsibility (AOR). The TFEU program is now being considered for expansion to other Combatant Commands, but USSOCOM remains the executive agent for terrorist financing.

II. IS THIS A SOF MISSION?

While the introductory chapter focused on the primary research question as to whether SOF *could* be used to target terrorist financing this current chapter will focus on whether SOF *should* be used in combating terrorist financing. SOF is a finite resource and is in danger of being marginalized by the current tendency to use SOF assets to accomplish missions that are not "true SOF missions." However, terrorist financing is hardly a conventional mission. The danger, though, in being known as an organization that can accomplish just about anything is that you will eventually be asked to accomplish everything.

If financing is a vulnerable area of terrorist organizations that can be exploited, then DoD and SOF should capitalize on this opportunity, even though it falls outside the traditional role of the military. The asymmetric nature of the GWOT necessitates that we look at non-traditional roles in fighting an enemy who avoids the strengths of the U.S. Military and exploits our weaknesses.

In his famous dictum, the military strategist Carl von Clausewitz asserts that "war is the continuation of politics, by other means".⁶ Modern military planners accept this, but have yet to fully incorporate it into military planning. With the advent of the GWOT and its asymmetric nature, we must look beyond the physical battle space and also consider the human and political centers of gravity as the battle space as well. Then it is possible to see that there may be an extension of Clausewitz's dictum,

⁶ Carl von Clausewitz, *On War*, 1976.

and that is, "politics is the continuation of economics, by other means". SOF should look to exploit any vulnerability of terrorist networks, whether they are financial, command and control, culutural, communications, or others.

The more unconventional the war, the more this needs to be understood. The responsibility for conducting the GWOT within the U.S. military has been given to USSOCOM precisely because of its unconventional mindset and capability to fight an enemy whose asymmetric nature there is no established doctrinal template for. The fact that this same military is waging a global war on terrorism should not limit its courses of actions (COA's) to those that fall in the roles previously unique to other non-military U.S. agencies.

A. SOF MISSION CRITERIA

Is terrorist financing a SOF mission? Using SOF's own five mission criteria to judge whether a mission should or shouldn't be executed by SOF, we can overlay this mission template on the problem of terrorist financing.

1. Appropriate Mission

Special operations forces (SOF) should be used against those key strategic or operational targets that require SOF's unique skills and capabilities. If they do not, then SOF should not be assigned. SOF should not be used as a substitute for other forces.⁷

Terrorist financing is a key strategic target in the GWOT and there are currently no forces in DoD that could be

⁷ Publication: JP 3-05.2 Joint Tactics, Techniques, and Procedures for Special Operations Targeting and Mission Planning

capable of targeting terrorist financing. USSOCOM is the only Combatant Command that is by its very definition an unconventional unit and whose members are flexible enough to conduct a mission for which there is no current doctrine. This will never be seen as a core mission of SOF. This will be an ancillary mission that is conducted while SOF is conducting its core missions. SOF does not need to add new core missions to conduct the GWOT; it need only redefine the parameters in which it conducts its current core missions.

2. Support the Campaign Plan

If the mission does not support the joint force commander's (JFC's) campaign plan, then consider more appropriate missions available for special operations forces (SOF).⁸

A USSOCOM role in targeting terrorist financing does support the GWOT campaign plan in that it would curtail the flow of funding that terrorist need to conduct their operations, training, and logistics.

Even the Commander in Chief has placed an emphasis on terrorist financing in a statement made just after 9/11.

The American people must understand this war on terrorism will be fought on a variety of fronts, in different ways. The front lines will look different from the wars of the past.

We will starve the terrorists of funding, turn them against each other, root them out of their safe hiding places and bring them to justice.⁹

⁸ Publication: JP 3-05.2 Joint Tactics, Techniques, and Procedures for Special Operations Targeting and Mission Planning.

⁹ President George Bush, Speech to Joint Session of Congress, September 24, 2001

3. Operationally Feasible

Special operations forces (SOF) are not structured for attrition or force-on-force warfare and should not be assigned missions that are beyond their capabilities. SOF commanders and their staffs must take into consideration the vulnerability of SOF units to larger, more heavily armed or mobile forces, particularly in hostile territory.¹⁰

The asymmetric nature of the GWOT and its guerrilla tactics have shown a lack determination by the enemies of the United States and its coalition partners to engage in a force on force conventional style battle.

In incorporating the disruption of terrorist financing as an ancillary mission, SOF will not be exposed to any more additional risk than they would be while conducting their primary mission for being in this OCONUS¹¹ location. These SOF units will be conducting the passive collection of intelligence just as they would normally do for situational awareness and force protection. It is the placement of SOF in these OCONUS locations, along with their cultural awareness, that make them ideally suited to collect intelligence that other U.S. LEA's cannot. Again, it will be iterated to the unit conducting the mission that this ancillary role involves the passive collection of intelligence. Intelligence on terrorist financing will not be dictated as the priority intelligence requirements (PIR's) for SOF unit in OCONUS location, but instead will

¹⁰ Publication: JP 3-05.2 Joint Tactics, Techniques, and Procedures for Special Operations Targeting and Mission Planning

¹¹ Outside the Continental United States or OCONUS Is a term used reference how the U.S. government is restricted by the Posse Comitatus Act of 1878 from using the Armed Forces in a domestic law enforcement role.

be included simply as intelligence requirements (IR's) that are to be reported if the intelligence is available.

If intelligence on terrorist financing is not available without incurring additional risk, or if it is simply not pertinent in the OCONUS area that the SOF element is conducting its primary mission, then the SOF element can feel free to report as such.

4. Required Resources Available

Some special operations forces (SOF) missions require support from other forces for success. Support involves aiding, protecting, complementing, and sustaining employed SOF. It can include airlift, intelligence, communications, information operations (IO), medical, logistic, space, weather, and numerous other types of support. While a target may be vulnerable to SOF, deficiencies in supportability may affect the likelihood for success or may entirely invalidate the feasibility of employing SOF.¹²

At the operational level no additional resources are needed to gather the intelligence on terrorist financing.

5. Outcome Justifies Risk

Does the expected outcome justify the risk? Special Operations forces (SOF) have high value and limited resources. Commanders must ensure that the benefits of successful mission execution are measurable and in balance with the risks inherent in the mission. Assessment of risk should take into account not only the potential for loss of

¹² Publication: JP 3-05.2 Joint Tactics, Techniques, and Procedures for Special Operations Targeting and Mission Planning

SOF units and equipment, but also the risks to US diplomatic and political interests should the mission fail.¹³

The purpose of using SOF to gather intelligence in combating terrorist financing is to gather both tactical intelligence that is actionable by SOF and strategic intelligence that can be used by other U.S. agencies outside the DoD to fill gaps in their intelligence shortfalls, as well as provide insight for diplomatic evaluations of both enemy and allied nations of the U.S.

B. SHOWSTOPPERS

Even prior to 9/11 DoD had elite special mission units whose sole purpose was preemptive surgical military offensive operations against unconventional enemies of the United States, namely non-state actors, such as terrorists. Yet, these units were not employed against terrorists. Not only were they employed in a preemptive role, they were never even employed in a retaliatory role for terrorist acts against the United States such as the 1993 World Trade Center Bombing or the bombing of the USS Cole in Yemen in 2000.

In the January 26, 2004 issue of "The Weekly Standard" Richard H. Schultz, the director of international security studies at the Fletcher School, Tufts University wrote an article titled *Nine reasons why we never sent our Special Operations Forces after al Qaeda before 9/11*. This article highlighted nine mutually reinforcing, self-imposed constraints referred to as "showstoppers" that the military

¹³ Publication: JP 3-05.2 Joint Tactics, Techniques, and Procedures for Special Operations Targeting and Mission Planning

used to keep these special mission units from deploying and conducting operations.

These very same showstoppers elaborated below were initially used to keep DoD from combating terrorism may again be reused again to keep SOF from targeting terrorist financing.

1. Terrorist Financing as Crime

The military views terrorist financing as criminal in nature rather than a national security issue. By keeping terrorist financing as a criminal activity, just as terrorism was viewed as a crime and not a security issue, it may be kept under the purview of LEA's rather than the military despite that SOF has a core mission of combating terrorism.

2. Not a Clear and Present Danger or War

Terrorist Financing is not a clear and present danger or war. Once again the military will ignore terrorist financing by treating it as a criminal problem as opposed to a national security problem, allowing the military to continue to ignore it.

3. Somalia Syndrome

President Clinton approved the raid to capture Somali Warlord Mohammad Farrah Aidid against the recommendations of some of the senior military leaders. The firefight and loss of American lives only reinforced the Joint Chiefs in their view that SOF should never be trusted with independent operations. Though SOF is by definition unconventional, terrorist financing may be seen as too far out of the realm of the U.S. military, and senior military officers could attempt to dissuade a presidential administration from using DoD assets, citing precedents

like Somalia to show what happens when SOF is used for operations outside the strict self-imposed boundaries placed on it by the military.

4. No Legal Authority

Using SOF to passively collect intelligence while other LEA's have the charter also to do so would lead to confusion over for whom SOF is working. While the capability exists for DoD to combat terrorist financing, the authority for DoD to do so as a military mission is not clearly defined.

5. Risk Aversion

The senior military leadership got to the positions they are in by working within the system and maintaining the status quo. Now are they to be told that the current system (the same system that promoted them to the highest ranks in the military), is flawed, unresponsive, and close-minded when it comes to dealing in asymmetric warfare.

We should not be surprised when this same leadership steers clear of operations that are deemed too risky.

6. Pariah Cowboys

Civilian champions that favor the use of SOF could be in short supply. Many other government agencies would see SOF as intruding onto their turf. Again, in this instance, solving the problem of terrorism comes second to maintaining the health of the bureaucracy. Those who favor a military approach to terrorism would be seen as reckless and told to let the professionals in the non-military LEA's handle the terrorist financing threat.

7. Intimidation of Civilians

This would most likely be the weakest of the showstoppers that could be argued against the use of SOF.

In fact it would be the civilian members of the other agencies that would be trying to intimidate the military as the newcomers to the agencies' respective areas of expertise. Yet it is because SOF would be newcomers that it could look at terrorist financiers in a new light, and not as criminals as the LEA's view them. SOF would see them simply as the enemy and look for vulnerabilities in stopping them, not building a criminal case against them.

8. Big Footprints

USSOCOM has evolved to the point where it has become its own bureaucracy, with all the survival issues, self preservation issues, and self perpetuating issues that are associated with a bureaucracy. Where SOF was once lean and adaptive, it is now in danger of becoming bloated and lethargic. The problem with bureaucracies is that they do not solve problems as much as they manage them. The GWOT and the terrorist financing that is an inherent part of terrorism do not constitute a war that will be won or lost by the DoD. The reason that DoD is involved in terrorism is that 9/11 brought terrorism above the military horizon. DoD need not win the GWOT, it only needs to push it back below the military horizon and back into the law enforcement and diplomatic realms. Therefore USSOCOM could be hesitant to dedicate a small, flexible, and adaptive unit to combat terrorist financing only to have that unit work itself right of a job when it could simply manage but never solve the threat and ensure that the bureaucracy would not only survive, but grow as well.

9. No Actionable Intelligence

Even if SOF is willing to accept that terrorist financing is an area in which DoD and SOF can disrupt the terrorist networks operability, there are still those

within DoD and SOF who can simply keep the intelligence requirements sufficiently narrow enough that the actual targeting of terrorist financial networks will never become a reality.

C. PARADIGM SHIFT

Combating terrorist financing will be an ancillary role for SOF, not an additional core mission. Nor should this be viewed as a unilateral mission by SOF. Rather it will be an inter-agency effort with SOF supporting the efforts of other agencies such as Department of State, Treasury, and Justice. Where joint operations were the trend in the past, the future will call for an inter-agency effort and compatibility.

Innovation of this type is not new to SOF. The War on Drugs necessitated that SOF work with other agencies such as the Drug Enforcement Agency (DEA), Department of Transportation, and U.S. Customs. SOF was innovative, adaptive and successful in its role in the War on Drugs. As in its inter-agency role in the War on Drugs, SOF will neither win nor lose the GWOT, it will simply be an asset used by the United States to reduce the capabilities of our enemies to fall back below the military horizon.

Unconventional Warfare by its very definition involves those methods and tactics that are used outside the normal or conventional lanes of the military.

D. WHAT SOF BRINGS TO THE TABLE

One of the most important things that SOF would bring to the inter-agency mission of terrorist financing is its unconventional mindset and focus. Having SOF look at terrorist financing with this unconventional mindset would

not be necessarily provide a better or worse perspective than the LEA's, simply different.

This mindset would, however, view terrorist financial networks as the enemy and not as a criminal network. A SOF analysis would be to probe these networks for weaknesses and then target those weaknesses for exploitation or elimination.

LEA's should not be demeaned for their law enforcement focus of terrorist financing, which, in the past, has placed an emphasis on prosecution and building a case for a court of law, rather than prevention before and actual crime takes place. When the GWOT falls back below the military horizon, that is the precisely the focus that the will need to have as they continue to fight terrorism.

The other key element that SOF would bring to terrorist financing is its access and placement throughout the world. Through the conduct of SOF core missions, these SOF elements routinely go to not only combat zones, but also to countries where we are not at war, yet are countries in which the terrorists operate in a permissible or semi-permissible environment.

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III. SECONDARY RESEARCH QUESTIONS

This chapter will address the secondary research questions associated with a SOF role in combating terrorist financing. It will also go into more detail on how the Special Operations Debrief And Retrieval System (SODARS) format may be used as a tool for SOF in gathering intelligence on terrorist financing.

Recently the military has begun implementing Terrorist Financing Exploitation Units (TEFU) with the first being CENCTOM. This thesis will only be able to go into limited detail as to the specific role of the TFEU due to classification restrictions. However, here is an unclassified DoD Directive on terrorist financing that outlines the roles and responsibilities of the DoD.

A. SECONDARY RESEARCH QUESTIONS

1. Should SOF Be Utilized in a New Role in Order to Combat Terrorist Financing?

This not necessarily a new role for SOF, but in actuality it's simply modifying an already existing role that SOF assumes when training with other nations' militaries OCONUS. This thesis in no way advocates that targeting terrorist financing become a core mission for SOF. Rather, by gathering intelligence on terrorist financing, SOF would simply enhance the efforts that are already being conducted by other U.S. government agencies outside of DoD. Being a force multiplier is already a proven attribute of SOF.

Whereas in the past, SOF has been a force multiplier for operational forces, it can also be a force multiplier for intelligence gathering capabilities. SOF already

passively collects intelligence when it deploys on operational and training missions outside the U.S. This is done to gather local situational awareness for force protection of the SOF element. Many times, through this passive collection, the SOF element learns of intelligence that is of no immediate military value, but may be of significant value to other non-military U.S. and coalition governmental agencies experiencing intelligence gaps on terrorist and criminal networks they are attempting to map in order to gain an operational picture of such networks and judge their capabilities and potential threat to the U.S. and its allies.

Innovation is nothing new to SOF; it is in fact, one of SOF's trademarks. Organizations, both military and commercial must continue to be both innovative and relevant if they are to remain viable in the marketplace. Government agencies such as the military which are not required to turn a profit merely have the luxury of additional time before they are forced to change to stay competitive.

In the past SOF has shown that it was both adaptable and relevant when unconventional forces were needed to fight a guerrilla war in Vietnam and also when used for the War on Drugs in Latin America.

Throughout the years the core tasks assigned to SOF have changed and modified so that SOF could be engaged to combat emerging threats to the U.S.

2. What Steps Has Dod/SOF Taken Thus Far in Addressing Terrorist Financing?

A draft of a recent DoD directive has established policy and assigned responsibilities and authorities for

Threat Finance Exploitation (TFE) doctrine, organization, training, and equipment within the Department of Defense.¹⁴

This DoD Directive was needed in order to clarify the roles and responsibilities of DoD with regard to financing. The purpose and necessity for the DoD to become involved in terrorist financing is stated in the first paragraph of the Directive.

Adversaries fund operations by using unofficial banking systems, legitimate businesses, front companies, wealthy backers, state and non-state sponsors, non-governmental organizations, and criminal activities, including drug trafficking. Although other government agencies (OGA) lead the interagency efforts to address such funding operations, the Department of Defense has a growing role. In some situations, the Department of Defense may be assigned a leading role. In others, the Department of Defense's unique capabilities shall be increasingly called upon to enhance the efforts of OGAs.¹⁵

This Directive also names USSOCOM as the Executive Agent within DoD responsible for terrorist financing as outlined below in section 5.9 of the Directive.

5.9. The Commander, United States Special Operations Command, is the DoD Executive agent for executing TFE policy. USSOCOM responsibilities include, but are not limited to, those tasks in subparagraphs 5.9.1. through 5.9.11 below. Commander USSOCOM has designated the Director, Center for Special Operations as the DoD office of primary responsibility for TFE matters responsible for executing his Executive Agent functions. The DoD Executive Agent for the TFE shall lead, synchronize, and integrate TFE doctrine, organization, training, and equipment

¹⁴ DoD Directive, Initial Draft on Threat Finance Exploitation, 5 July 2005.

¹⁵ DoD Directive, Initial Draft on Threat Finance Exploitation, 5 July 2005.

of the Department of Defense to develop capabilities to conduct TFE activities. USOCOM shall:

5.9.1. Report through the Chairman of the Joint Chiefs of Staff to the Secretary of Defense on TFE activities, while at the same time keeping ASD(SOLIC) informed.

5.9.2. Assist, facilitate, and coordinate TFE matters with the Military Departments, Military Services, Joint Chiefs of Staff, Combatant Commands, Defense Agencies, DoD Field Activities, and OGAs.

5.9.3. Establish and provide TFE functional expertise to DoD Components and assist them in implementing Secretary of Defense TFE policies and DoD Directives, including training, planning, and operations.

5.9.4. Advise and support the Combatant Commands and Military Departments on TFE intelligence collection and production to ensure they reflect and satisfy command and interagency requirements. Ensure Combatant Commands and Military Departments establish threat finance as a critical intelligence focus, in accordance with DOD policy priority given to TFE.

5.9.5. Recommend TFE policy requirements to ASD SOLIC and operational requirements to the Chairman of the Joint Chiefs of Staff.

5.9.6. Coordinate within the Department of Defense implementation of DoD policies and Instructions concerning TFE.

5.9.7. Synchronize TFE activities to ensure applicable integration, standardization, and effectiveness in training, security, planning, and operations, in coordination with JFCOM, as appropriate.

5.9.8. Advocate TFE annual requirements in the Joint Requirements Oversight Council (JROC) process and monitor implementation.

5.9.10. Validate budgetary and personnel requirements to support TFE.

5.9.11. Periodically review TFE capabilities and recommend improvements to ASD SOLIC and the Chairman of the Joint Chiefs of Staff.

5.9.13. Maintain responsibility for specialized TFE training and intelligence support requirements and associated programs, including activities in support of special missions units.

Other than establishing this directive, the only operational units to emerge is the TFEU as part of Central Command (CENTCOM). USSOCOM has not done very much to address the problem of terrorist financing leaving it to the Federal Bureau of Investigation (FBI) and the United States Treasury Department to pursue as criminal matters. The TFEU concept emerged in IRAQ in 2004 as part of the Iraqi Steering Group (ISG) as a way to reduce the financial capabilities of terror networks to finance terrorist operations and training.

3. Does the Current SODARS Format Lend Itself to SOF Use in Providing Relevant Information Needed to Gather Intelligence on Terrorist Financing?

This thesis also examines the use of the SODARS as a means of capturing, processing, and disseminating intelligence on terrorist financing activity.

a. Background

(U) SODARS is a systematic method of capturing and disseminating operational and intelligence information obtained by U.S. Special Operations Forces (SOF) during overseas deployments. This information is then used by other U.S. SOF in preparation for future deployments to the same areas of operation (AOR). SODARS reports combine operations and intelligence information. SODARS reports

are now posted on the Secret Information Protocol Router Network (SIPRNET)/(*Intelink-S*)

(<http://soj2.socom.smil.mil/socjic/sodars>) and

JDISS

(<http://socom.ic.gov/socjic/sodars/>).

(U) Executive Order 12333, Dod Directive 5240.1R, DoD Directive 5240.2, and appropriate service regulations, prohibit US Army SOF from engaging in the HUMINT collection process without appropriate approval and coordination. SOF are, however charged with the responsibility to be observant while deployed on OCONUS missions. This obligation to passively observe does not constitute intelligence collection. Secretly taking pictures, drawing sketches, listening to conversations, and making surreptitious entries into restricted areas are examples of illegal intelligence collection, and are strictly prohibited.

Requesting permission of the host government to take pictures or to draw sketches to turn over to follow-on teams, normal observation of military training/formations, and asking normal questions about military equipment, personnel and events, are examples of legal means of obtaining information. This distinction between intelligence collection and passive observation must be emphasized at all levels of command.

(U) USSOCOM Directive 11-1 has been revised to emphasize SOF as "Global Scouts" who are often the only U.S. military presence in certain areas/regions and have access to information not readily available, and generally possessing a high degree of reliability. While the main

goal of the SODARS program remains to support SOF deployments, the significance and importance of the "global scouting" to the national intelligence community continues to increase.¹⁶

The SODARS format would be a good means for SOF assets to report on terrorist financing as it is already a format with which SOF is familiar and no further burden such as learning a new reporting format on the tactical element conducting the mission.

4. What Additional Coordination/Liaison Would Be Needed Between USSOCOM/SOC's and Other Government Agencies?

CENTCOM has already stood up the Threat Finance Exploitation Unit (TFEU) at MacDill AFB in Tampa, FL. The theater SOC responsible for GCC where the SOF element is conducting the operation would be responsible for reviewing any SOF elements post mission, completed SODARS and passing to USSOCOM any relevant intelligence related to terrorist financing.

5. What, If Any, Additional Training Would Be Necessary for SOF to Contribute Towards the Targeting of Terrorist Financing?

The answer is "very little," since, again, for SOF such targeting merely involves the passive collection of intelligence. If intelligence related to terrorist financing is not observed by the SOF element, then it need not be reported. Much of the technical expertise needed for the intricacies of processing the financial data can be accessed through inter-agency cooperation and eventually brought into DoD through additional training as well as the financial background skill sets brought in by Reservists

¹⁶ United States Army Special Operations Command (USASOC) Reg 381-1

and National Guardsmen who are activated and augmenting standing units.

6. What, If Any Additional Manning Requirements Would Be Necessary to Manage the SOF Efforts Toward Targeting Terrorist Financing?

Using the modified table of organization and equipment (MTOE) of the TFEU in CENTCOM as a starting template, there would need to be additional TFEU's set up in the other Combatant Commands.

7. Is SOF in a Position Through Joint Combined Exchange Training (JCET), Humanitarian Assistance (HA), Organizational Control Element (OCE), and Humanitarian Demining Operations (HDO) Missions to Collect Relevant Actionable Intelligence Toward Targeting Terrorist Financing?

It is precisely the conduct of these types of core missions that give SOF the access and placement in order to be able to passively collect the intelligence that is necessary to gain an operational picture on the terrorist networks. At the same time, it is imperative that this passive collection remain a secondary role to that of the primary purpose of training or operations for which SOF was brought into that specific foreign country.

IV. A COLLABORATIVE EFFORT

The success or mediocrity of an inter-agency approach to combating terrorist financing may not lie in exactly which government agency acts in the role of executive agent, but rather, in how it is organized do it. There are inherent pitfalls with new organizations, which the Department of Homeland Security is learning as it goes through its growing pains.

It is paramount that not only should this new DoD organization with the mission of terrorist financing within USSOCOM be organized properly at its genesis, but that it be given sufficient latitude to evolve so that it remain viable and relevant to the task for which it was created. In order to effectively though by no means efficiently, because it will become bureaucratic to a certain extent prosecute the GWOT for both the DoD and national security interests, it must be allowed to change as the threats to the United States change, or it will forever be reactive instead of proactive when engaging threats to the United States.

The synchronization and coordination of multiple agencies that not only have different mission statements, different jurisdictions, different charters, different authorities, but also different mindsets will be problematic at the least.

Within USSOCOM it is the Center for Special Operations (CSO) that will be the action arm in implementing USSOCOM's executive agent role in the GWOT. Prior to the designation of USSOCOM in this role, the DoD had been involved in

terrorist financing, but only in a limited scope and at the lower levels of the military.

For example, Southern Command (SOUTHCOM), which is responsible for Central and South America, as well as the Caribbean, has been interested in the money flows of both Islamic Extremist groups and drug cartels. At the same time, Pacific Command (PACOM) is interested in the financial structure of the Philippines based terrorist group Jemaah Islamiyah (JI). While the largest effort had been in CENTCOM, with the establishment of the Threat Finance Exploitation Unit (TFEU) a pilot program that was formed in Iraq to address the problem of terrorist financing. This TFEU was a forward deployed and part of the Iraqi Working Group in August 2004 and designed to look at the financial dealings of terrorists and insurgents as well as broadening how DoD looks at the terrorist organization as a network, with finance as a part of that network.

With the success of the TFEU in CENTCOM and the interest by other Combatant Commands in terrorist financing, an over-arching DoD level program was needed to resource, coordinate, and give authority to DoD elements for terrorist financing. This led to the DOD Directive discussed in Chapter Three being written in December 2005.

The language in the DoD Directive substituted the phrase "threat finance" in place of the phrase "terrorist finance" in order to allow the Combatant Commands to target threats in their Areas of Responsibilities (AOR's) that are not on designated lists of terrorist groups, but are still of concern to stability in the region. These threats include such entities as insurgents, warlords, and

organized crime, which may operate in one Combatant Commands AOR, but are not to the level that they operate across multiple AOR's as a global terrorist threat would.

This DOD Directive will empower all the Combatant Commands to address the threat finance in their AOR's, yet it is flexible enough to tailor the program to each area's unique situation. A TFEU in European Command (EUCOM) may operate differently from a TFEU in PACOM. The threat finance situation in the EUCOM AOR is contrasted by one of the world's most sophisticated banking system in Europe with one of the world's most unsophisticated or traditional banking systems in the countries of North Africa. The EUCOM TFEU will need to be flexible enough to deal with both systems.

While this is a new area for the DoD, the need has been building over the years and Operation Iraqi Freedom/Operation Enduring Freedom (OIF/OEF) only put the problem in the spotlight. The fall of the Soviet Union led to the highly sensationalized instances of WMD chemical, biological and nuclear components and technology, as well as complete WMD systems, appearing on the black market. This possibility of strategic weapons being available to anyone with enough money showed that finances were just as important as ideology when terrorists wanted to be able make a statement on the world stage. It also showed that the United States was ill-prepared to handle this problem, because, at the time, the Unified Command Plan (UCP), which delegates AOR's to the Combatant Commands for most of the world, had not given any specific Combatant Command the responsibility for Russia. That was only remedied recently

when EUCOM began to include Russia in its AOR, and the rest of the former Soviet Union was divided up among EUCOM, CENTCOM, and PACOM.

So with all these competing factors of diplomatic, security, jurisdiction, and authority issues, USSOCOM must organize, coordinate, and synchronize a DoD, domestic, inter-agency and international cooperative effort that will not only work together, but accomplish its stated purpose listed in the DoD Directive previously noted in Chapter Three. What factors should USSOCOM consider as it sets up threat finance organization? How will it effectively manage an organization that some will see as too close to domestic issues for a DoD role and not diplomatic enough for international issues?

Realists tell us that for all intents and purposes, states behave as rational unitary actors. In an anarchic international system, power rules the day, and states have little choice but to protect themselves. We need not consider any domestic-level factors such as foreign policy agencies or individual leaders to understand why alliances form, why wars occur, or why international organizations arise. In fact, it is precisely by ignoring these sub national influences that realists can offer such a general theory of international politics.

But for realists to be right, national security agencies must be well designed to serve the needs of the state.¹⁷

To help with this, Amy Zegart, the author of *Flawed By Design*, offers a hypothesis on how organizations should not only be formed when they are initially organized, but how they should evolve as well. USSOCOM would do well to keep this hypothesis in mind.

¹⁷ Zegart, Amy B., *Flawed by Design*

Agency origins

Proposition 1: An agency's original design is determined by international, not domestic, factors.

Proposition 2: National security agencies are optimally designed to serve the national interest.

Agency evolution

Proposition 3: Agencies evolve in response to changes in the international system.

Proposition 4: Congressional oversight does not matter; agencies are well designed at the outset and are responsive to ongoing changes in the international system.

Proposition 5: An individual agency's evolution can be explained by systemic-level factors-by the state's place in the international system, by the distribution of power among states, and by the security imperatives these two factors generate.¹⁸

Those who think that a TFEU will simply follow the money in a terrorist network will miss the fact that they are not simply following the money for money's sake. Instead they are tracing the financial flows of threat organizations in order to map the terrorist network. Where this mapping will take them is not known for certain. That is why an inter-agency effort is so important. Should money trails lead back to a U.S. citizen, the DoD would have no authority to investigate, but the FBI would. And

¹⁸ Zegart, Amy B., *Flawed by Design*

if the money should lead to a country that we are allied with or outside the OIF/OEF combat zones that the DoD is operating in, the Department of State should pursue it rather than USSOCOM.

V. CONCLUSION

The new DoD Directive on Threat Finance Exploitation goes into great detail about the responsibilities within DoD for threat finance, as well establishing the policies for inter-agency cooperation. What it lacks is a mission statement that will tell those in DoD and other government agencies just how this new organization is going to accomplish its mission.

Traditionally a military commander will issue directives to a subordinate in the form of an operation order (OPORD) in which the subordinate clearly understands what is to be accomplished, who is to do it, when it needs to be done, where it needs to be done, and why it is necessary to accomplish it. What is left for the subordinate to determine is how to do it.

The DoD Directive is similar, leaving it up to USSOCOM to determine its mission in respect to threat finance. So how should USSOCOM organize itself to define not only its mission, but what strategy it will plan and execute, with other agencies, in order to achieve that mission, hopefully keeping in mind that the threat finance organization's self-determined mission is the reason for its very existence?

Using a business world model as an example, USSOCOM will not only have to determine its mission, but also the environment in which it will perform its mission. Henry Mintzberg author of *The Structuring of Organizations: A Synthesis of the Research*, could show that the complex/unstable, organic, decentralized environment would

lean towards an adhocracy as the basic type of configuration. Coordination would be achieved through informal mutual adjustment and formalized horizontal communications, where the different members of this inter-agency organization would interact and communicate in order to implement a coordinated and effective strategy.¹⁹ The chain of command still remains critical, especially for prioritization in the face of competing interests and for direction setting, but horizontal and informal communications would become the primary means of coordination and provide the foundation on which the chain of command would depend.

The adhocracy configuration of an organization is needed to be effective due to the number of highly specialized people from the different inter-agencies that need a high degree of liaison and coordination in order for decisions to be made in a complex and unstable environment. Further, where innovation is required to address unique problems, an over-arching effort like the GWOT is needed. The existing bureaucratic structures within the DoD, as well as the other existing government agencies, are too inflexible to allow the experts that reside within each of these separate agencies to liaison effectively with other agencies in an over-arching strategy needed to execute the GWOT mission. The adhocratic nature of this new organization would allow for the high degree of coordination and mutual adjustment necessary among the highly specialized existing parent agencies.

¹⁹ Mintzberg, Henry, *The Structure of Organizations: A Synthesis of Research*, Prentice-Hall, 1979

A. IDENTITY CRISIS

Once configured as an organization, the new inter-agency unit must realize that it must function as part of the already existing DoD and inter-agency bureaucracies as well as operate outside the same bureaucracies in order to be effective. Bureaucracies by their very nature can be inflexible and resistant to change; the paradox is in an existing bureaucracy creating a new organization because it recognizes a need to address a new threat that falls outside the traditional role of that existing organization. Yet the first thing the parent organization wants to do is impose the existing bureaucratic controls on the new organization, knowing all the while that it was the inflexibility of the parent organization to address a new threat that necessitated creating the new organization in the first place.

B. GWOT VS RWOT

USSOCOM must realize that it will not fight the GWOT in as much as it will manage it through the allocation of resources to the Geographic Combatant Commands (GCC)'s. It is at the Combatant Command level where the threat in the CENTCOM AOR is different from that of the PACOM AOR, which is different from that of the SOUTHCOM AOR, that the regional commanders will shape the strategy to address their theaters' own unique threat in a regional war on terror (RWOT).

The center of gravity in an unconventional war such as the GWOT is the local populace. That is why the war must be fought at the local level while managed from the USSOCOM and inter-agency levels.

Delegating authority, decision making capabilities, and most importantly resources down to the GCC level, while still coordinating and synchronizing those resources, does not mean that USSOCOM will lose oversight and "control" of the GWOT. It is instead now empowering the GCC's to conduct their RWOT with SOF resources not normally found at the GCC level. In business terms it is implementing vertical, selective decentralization. In the GWOT, for DoD to simply be effective is not enough, it must also be efficient.

USSOCOM can maintain situational awareness of the RWOT through the GCC's Theater Special Operations Command (TSOC). The TSOC is a subordinate unit of the GCC, but is made up of both SOF and conventional personnel. These USSOCOM resources would be under the tactical control (TACON) of the TSOC Commander, while still remaining under the operational control (OPCON) to USSOCOM.

TACON gives the TSOC and GCC the ability to task and control the movement within the GCC AOR of SOF resources in order to accomplish the Theaters RWOT. At the same time USSOCOM still has OPCON of these SOF resources and will dictate how they are organized, employed, trained, and assigned. SOF is a finite resource and its employment must be prioritized by USSOCOM to the different GCC's based on the needs of the GCC and the SOF Mission Criteria detailed in Chapter 2.

C. CONCLUSION

The purpose once again was to determine if there was a role for the DoD in general and for SOF specifically in combating terrorist financing.

Using SOF's own mission criteria that were established to determine whether a mission should or shouldn't be executed by SOF, it is possible to show that the passive gathering of intelligence on terrorist financing could be accomplished by SOF as an ancillary mission during the conduct of SOF's core missions.

Using SOF personnel to gather intelligence and combat terrorist financing is only utilizing them in a role that emphasizes SOF as "Global Scouts" who are often the only U.S. military presence in certain areas/regions and have access to information not readily available but generally possessing a high degree of reliability, thus increasing the significance and importance of the "global scouting" to the national intelligence community.

During the writing of the thesis, USSOCOM has been tasked with incorporating terrorist financing into the GWOT.

Though USSOCOM is the DoD executive agent in the GWOT, it cannot be stressed enough that this is an inter-agency effort and not a unilateral one. It is the unconventional and asymmetric nature of the GWOT that has made the inter-agency approach a marriage of necessity rather than a marriage of convenience. Because in a conventional environment that is the United States government, this new inter-agency organization will be anything but convenient. Competitive cultures, inter-agency rivalries, budgetary limitations, and bureaucratic processes die hard, but all these obstacles and many others will have to be overcome in order to succeed.

Despite the difficulties addressed in this thesis, there exists a definite role for SOF in combating terrorist financing as part of the GWOT. The measure of success will be when terrorism falls back below the military horizon and once again becomes a primarily law enforcement issue rather than a national security one.

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